

Docket No: CVS-1  
Serial No: 09/122,576Patent Application  
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Washington, D.C. 20231 on May 9, 2000.

Gerard H. Bencen  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Siev, et al  
Serial No. : 09/122,576  
Docket No. : CVS-1  
Art Unit : 1627  
Examiner : Hsu, G  
Filed : 7/24/98  
For : RESIN DERIVATIZATION METHOD AND USES THEREOF

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a timely response to the Restriction Requirement mailed in the captioned application on April 10, 2000. Election is hereby made, with traverse, to prosecute Group 1, claims 1-27 and 29-31. The traverse is at least in part based on the following considerations:

It is stated that this new Restriction Requirement is being made "in the interest of compact prosecution", even though the Applicant has already elected Group I, claims 1-27, 29-32, 34-76, 78-101, and 103-106. The Applicant has already elected a species for examination purposes, and such election is hereby affirmed. It is urged that prosecution in this case would be compact if prosecution on the merits could be initiated, without the need to repeatedly revisit the question of generic and species elections. It is noted that there has been a change of Examiners in this case.

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However, this should not entitle the PTO to re-initiate prosecution. An election has been made on the record, and prosecution should now proceed.

The reasons for considering claims of previously elected Group I, claims 1-27, 29-32, 34-76, 78-101 and 103-106 to come within the same generically patentable concept are set forth on the record in the response filed on January 21, 2000, and that response is incorporated herein by reference, so as to avoid the need to reiterate those arguments here.

In spite of the foregoing remarks, and to ensure that this paper is responsive, it is noted that Examples 2 and 3 set forth prototype reactions for this generic invention. Accordingly, the specifics of the reaction include reaction of a resin defined in Examples 2 and 3, defined as HCAM resin, with a reagent such as that shown in Example 4, namely t-butoxycarbonyl-L-Arg(aloc)2-al. It is urged that all of the elected claims read generically on this specific reaction, and it is respectfully requested that upon confirmation of the patentability of this species that the search and examination should be extended to all other encompassed species.

Should there be any question based on this response, it is respectfully requested that the Examiner directly contact the undersigned to discuss resolution of any such question, in the interest of advancing prosecution of this application.

Respectfully submitted,



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